Single Bench (1)

R.R. No. 114/05
Presented by Shri Meera Jain and (4)
dated 11/01/05

BEFORE THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WP- 113 /2005 (SB)
(Service Matter)

PETITIONER : DR. R.N. Mandavi aged about 46 years S/o Late Shri J.S. Mandavi posted at Community Health Cantre, Pussore, Po.- Pussore, Distt - Raigarh (CG)

VERSUS

RESPONDENTS :
1. State of Chhattisgarh, through Secretary, Health and Family Welfare Department, Mantralaya, D.K.S. Bhawan Raipur, Dist. & Post - Raipur (CG)
2. The Chief Medical and Health Officer, Raigarh, Distt and Post - Raigarh (CG)

PETITION UNDER ARTICLE 226/227 of THE CONSTITUTION - FOR ISSUANCE OF A WRIT OF CERTIORARI AND MANDAMUS AND ANY OTHER WRIT/ DIRECTION/ORDER.

(31)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 113/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

25.01.2005: -

Shri B.R.Ghosh,learned counsel for the petitioner.
Shri Akhil Agrawal, learned P.L. for the State/respondents.

Heard.

The petitioner has filed the instant petition as he is aggrieved by the order of Annexure P/1 dated 26th October 2004 whereby the petitioner who was working as a doctor in Community Health Centre, Pusoure, Raigarh has been transferred to Community Health Centre, Farsabahar, Jashpur on some administrative ground.

Learned counsel for the petitioner submits that from the document of Annexure P/7, it appears that the petitioner has already relieved on 11.11.2004 and he has been transferred to a naxalite affected area, Jashpur against the policy of the State Government which provides that those officers who have already served in the rural areas for more than three years shall not be subjected to transfer again in the rural areas.

However, no document to this effect has been filed by the petitioner. Another ground raised by the petitioner is that he cannot be made to go on transfer unless transfer advance is paid by the respondents. However, it is pointedly asked whether the petitioner has applied for such advance at any point of time, the petitioner is not able to show that he has applied for transfer advance.

Under these circumstances, I am of the opinion that the order of Annexure P/1 passed by the respondents is purely on administrative

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	grounds and particularly in the light of the fact that the petitioner has already completed more than three years of tenure in his present place of posting, he can not make any grievance against his transfer which is an incidence of service and the employer is at liberty to post the officers working under him as per administrative requirements. As a result, the petition has no merits and it is liable to be dismissed and it is accordingly dismissed. **Sd/-** **Dhirendra Mishra** **Judge**	